	Application No.	Applicant(s)
Notice of Allowability	09/875,480	JAYANT ET AL.
	Examiner	Art Unit
	Shawn S An	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to _9/17/2004_.

2. ☒ The allowed claim(s) is/are _17-55 and 60-62_.

3. ☒ The drawings filed on _06 June 2001_ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

     * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of .

     Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An Examiner's amendment to the record appears below. Should the changes
and/or additions be unacceptable to Applicant, an amendment may be filed as provided
by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be
submitted no later than the payment of the issue fee.

IN THE CLAIMS:

A)   Amend the claims 17, 22, 26, and 32 as follows;

17.   (Currently Amended) A system for communication of video information
over a network, comprising:

a first object-oriented coder that divides data into object macroblocks and
background macroblocks, the object macroblocks and background macroblocks being a
portion of partitioned-video data that is transmitted at a bit-rate, and that assigns a
higher number of error control overhead bits to the object macroblocks than to the
background macroblocks based on a threshold of the bit rate of the partitioned-video
data, wherein the first object-oriented coder further configured to evaluate whether the
bit-rate of the partitioned-video data is less than a bit rate of nonpartitioned-video data
and assigns a higher number of error control overhead bits to the object macroblocks
than to the background macroblocks when the bit rate of the partitioned-video data is
less than the bit rate of the nonpartitioned-video data.

22.   (Currently Amended) A method for communicating video information over
a network, comprising the steps of:

dividing data into object macroblocks and background macroblocks, the object
macroblocks and background macroblocks being a portion of partitioned-video data that
is transmitted at a bit-rate;

assigning a higher number of error control overhead bits to the object macroblocks than to the background macroblocks based on a threshold of the bit rate of the partitioned-video data;

evaluating whether the bit-rate of the partitioned-video data is less than a bit rate of nonpartitioned-video data; and

assigning a higher number of error control overhead bits to the object macroblocks than to the background macroblocks when the bit rate of the partitioned-video data is less than the bit rate of the nonpartitioned-video data.

26.   (Currently Amended) A system for communicating video information over a network, comprising:

means for dividing data into object macroblocks and background macroblocks, the object macroblocks and background macroblocks being a portion of partitioned-video data that is transmitted at a bit-rate;

means for allocating a higher number of error control overhead bits to the object macroblocks than to the background macroblocks based on a threshold of the bit rate of the partitioned-video data;

means for evaluating whether the bit-rate of the partitioned-video data is less than a bit rate of nonpartitioned-video data; and

means for assigning a higher number of error control overhead bits to the object macroblocks than to the background macroblocks when the bit rate of the partitioned-video data is less than the bit rate of the nonpartitioned-video data.

32.   (Currently Amended) A computer readable medium having a computer program for communicating video information over a network, the program performing the steps of:

dividing data into object macroblocks and background macroblocks, the object macroblocks and background macroblocks being a portion of partitioned-video data that is transmitted at a bit-rate;

<u>assigning a higher number of error control overhead bits to the object</u> <u>macroblocks than to the background macroblocks based on a threshold of the bit rate of</u> <u>the partitioned-video data;</u>

evaluating whether the bit-rate of the partitioned-video data is less than a bit rate of nonpartitioned-video data; and

assigning a higher number of error control overhead bits to the object macroblocks than to the background macroblocks when the bit rate of the partitioned-video data is less than the bit rate of the nonpartitioned-video data.

REMARKS:

Claims 17, 22, 26, and 32 have been amended as above, as approved by Applicant's attorney, Minh N. Nguyen (53,864) by telephone on Oct. 12, 2004.

2.   Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Shawn S An whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).

SSA
Primary Patent Examiner
10/14/04

REASONS for ALLOWANCE

1.   As per Applicant's instructions as filed on 9/17/04, claims 17, 22, 26, and 32 have been amended, and claims 56-59 have been canceled.

2.   Claims 17-55 and 60-62 have been allowed after entering the Examiner's Amendment as discussed above.

3.   The following is an Examiner's statement of reasons for allowance:

Claims 36-55 recite the novel features as previously discussed in the last office action filed on 7/21/2004.

Claims 17-35 and 60-62 recite the novel features as having incorporated the allowable subject matter as previously discussed in the last office action filed on 7/21/2004.

The prior art of records fail to anticipate or make obvious the novel features as specified on claims above.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4.   Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S. An** whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).

5.   The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
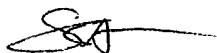
6.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

SSA
Primary Patent Examiner
10/14/04